

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

THOMAS D. GILLIS,
Plaintiff
vs.
SPX CORPORATION INDIVIDUAL ACCOUNT
RETIREMENT PLAN,
Defendant

Civil Action No.: 03-12389-GAO

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1 (D)

Now come the parties, by their respective Counsel, and submit herein their Local Rule 16.1(D) Joint Statement:

(1) Joint Discovery Plan –

The Parties do not believe that phased discovery is appropriate in this action.

September 9, 2004 – All non-expert discovery completed. Interrogatories, document requests, requests for admissions and depositions not to exceed the permitted limit.

30 days after summary judgment decision rendered – Plaintiff's Expert Disclosure served, if necessary.

60 days after summary judgment decision rendered – Defendants' Expert Disclosure served, if necessary.

90 days after summary judgment decision rendered – All expert discovery completed.

(2) **Proposed Schedule for the Filing of Motions** –

October 29, 2004– All motions under Fed.R.Civ.P. 56 filed, with oppositions to be filed 21 days thereafter.

150 days after summary judgment decision rendered – The Parties will be ready for trial.

(3) **Certifications** – Certifications pursuant to Local Rule 16.1(D) are submitted herewith or will be filed under separate cover.

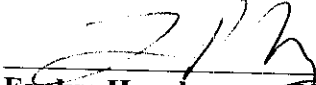
Respectfully submitted,

**Thomas D. Gillis,
Plaintiff
Defendant**

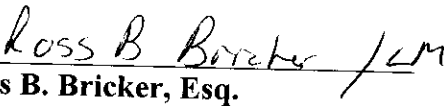
**SPX Corporation Individual
Account Retirement Plan,**

By his attorneys,

By its attorneys,



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Dated: *Feb. 23, 2004*